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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/668,719

09/23/2003

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14270

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07/31/2007

EXAMINER

CULBRETH, ERIC D

ART UNIT

PAPER NUMBER

3616

MAIL DATE

DELIVERY MODE

07/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/668,719

Applicant(s)

WILLIAMS, JEFFREY DANIEL

Examiner

Eric Culbreth

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-16 and 18-39 is/are pending in the application.
- 4a) Of the above claim(s) 28-39 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 8-16 and 18-20 is/are allowed.
- 6) ☒ Claim(s) 21-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 21-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 21, last line there is no antecedent basis for "the inflator sleeve".

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 21-27 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Rose US006588793B2 in view of Spencer et al US005687987 and Taguchi et al US005951038A.

Rose discloses an airbag module comprising an inflator 26, an airbag cushion with a cushion throat and a cushion portion (Figure 1B), and a one-piece clamshell diffuser 64 forming an inflator housing (note Figure 4, the left end of diffuser 64, where the sleeve is one piece). The housing forms an inflator sleeve that receives and closes about the inflator in Figure 4. Spencer et al discloses a diffuser sleeve 83 on inflator sleeve 82, the diffuser sleeve formed of first and second sleeve walls 84. The outlet port(s) 44 of the inflator 40 extend into the diffuser sleeve 83 such that the diffuser

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sleeve directs inflation gas produced by the inflator. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rose to include a diffuser sleeve with first and second sleeve wall such as taught by Spencer et al in order to allow the diffuser to direct gas (see Rose, the primary reference, at column 11, lines 14-17, where the primary reference teaches the diffuser may be used to direct gas). In the combination the sleeve walls would contact each other on the interior of the cushion in keeping with Rose's diffuser walls. As there is no antecedent basis for the inflator sleeve, as best understood the combination meets the positive limitations of the claim. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify further Rose and Spencer et al to include a loop diffuser in the cushion throat at taught by Taguchi et al's inner bag 22 in order to direct gas as desired, upward or downward as disclosed in Taguchi et al's abstract (claim 21). Taguchi et al's loop diffuser in the combination has at least one diffuser orifice to allow inflation gas to pass between the throat portion and cushion portion, and the loop diffuser has a windshield facing panel and occupant facing panel attached to form a closed sleeve (Figure 2B), with each panel having a diffuser orifice 22b, 22a in Figure 3 (claims 22-26). Rose's cushion is an overhead cushion (claim 27).

Allowable Subject Matter

5. Claims 1-6, 8-16 and 18-20 are allowed.

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6. The following is an examiner's statement of reasons for allowance: Regarding claims 1 and 11, the prior art does not teach or suggest, in combination with the other elements and relationships recited, the outlet port extending into the diffuser sleeve and the diffuser sleeve substantially transverse to the inflator sleeve. In Rose, the outlet port(s) would not extend into the diffuser sleeve, and in Spencer et al the outlet port(s) would not extend into diffuser sleeve 83, but rather into an end of inflator sleeve 82 which is not transverse to itself.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Culbreth whose telephone number is 571/272-6668. The examiner can normally be reached on Monday-Thursday, 9:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571/272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Eric Culbreth
Primary Examiner
Art Unit 3616

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